

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

NOV 03 2016

JULIA C. DUDLEY, CLERK  
BY: *H. McDonald*  
DEPUTY CLERK

GREGORY LEON HAMMER,  
Petitioner,

v.

SHERIFF BRYAN HUTCHESON,  
Respondent.

) Civil Action No. 7:16-cv-00499  
)  
)  
)

ORDER

) By: Hon. Jackson L. Kiser  
) Senior United States District Judge  
)

In accordance with the written Memorandum Opinion entered this day, it is hereby

**ORDERED**

that the petition for a writ of habeas corpus is **DISMISSED** without prejudice; a certificate of appealability is **DENIED**; and the case is **STRICKEN** from the active docket.

The Clerk shall send copies of this Order and the accompanying Memorandum Opinion to Petitioner.

ENTER: This 3<sup>rd</sup> day of November, 2016.

*Jackson L. Kiser*  
Senior United States District Judge